

The **North Royalton Planning Commission** met in the City Hall Council Chambers, 14600 State Road, on **Wednesday, March 7, 2018 to conduct a Public Hearing**. The hearing was called to order at 7:00 p.m. by Chair Larry Antoskiewicz and opened with the Pledge of Allegiance.

**PRESENT:** Planning Commission: Chair Larry Antoskiewicz, Mayor Stefanik, Frank Castrovillari, Jessica Fenos, Gene Baxendale, Secretary Diane Veverka. Administration: Law Director Thomas Kelly, Building Commissioner Dan Kulchytsky, City Engineer Mark Schmitzer.

## **PUBLIC HEARING:**

The Secretary to the PC stated Public Hearing notices were sent to property owners within 500 feet of the property in question and posted as required.

1. **Tri-County Industrial Storage Phase IV.** Mann Parsons Gray Architects on behalf of Tri-County Industrial Storage are seeking site plan approval for Phase IV which includes two proposed buildings and associated access drives located at 10155 Royalton Road, also known as PPN: 483-24-003, in a General Industrial District.

Tony Farinacci, president of the Tri-County group of companies stated they are here to seek approval for Phase IV construction which encompasses two buildings: one being a truck garage for indoor storage of the large concrete mixer trucks and dump trucks during the off season. The second building will mimic two existing buildings which are office/warehouse type buildings. The utilities to connect to the proposed buildings are in place. He said their industrial area sits 800 feet off Royalton Road. David Mann, a partner in Mann Parsons Gray Architects gave a brief presentation regarding the proposed project.

**Moved** by Mr. Castrovillari, seconded by Mr. Baxendale to **move this item to the Regular Order of Business**. Roll call: Yeas: Five. Nays: None. **Motion carried.**

## **ADJOURNMENT OF THE PUBLIC HEARING**

**Moved** by Mayor Stefanik, seconded by Mr. Castrovillari **to adjourn the Public Hearing**. Roll call: Yeas: Five. Nays: None. **Motion carried. The Public Hearing adjourned at 7:07 p.m.**

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## **REGULAR MEETING**

The North Royalton Planning Commission met in the City Hall Council Chambers, 14600 State Road, on **Wednesday, March 7, 2018 in regular session**. The meeting was called to order at 7:07 p.m. by Chair Larry Antoskiewicz.

**PRESENT:** Planning Commission: Chair Larry Antoskiewicz, Mayor Stefanik, Frank Castrovillari, Jessica Fenos, Gene Baxendale, Secretary Diane Veverka. Administration: Law Director Thomas Kelly, Building Commissioner Dan Kulchytsky, City Engineer Mark Schmitzer.

**APPROVAL OF MINUTES:**

Moved by Mr. Castrovillari, seconded by Ms. Fenos to **approve the minutes of February 7, 2018.**  
**Motion carried.**

**OLD BUSINESS**

1. **Huntington Park Subdivision Phase 4.** Final site plan approval. The proposed subdivision will consist of 14 single family residential lots on PPN: 488-12-030 in a R1-A zoning District. Phase 4 will be an extension of Angelina Drive. Final Plan approval was granted on 9-7-16. 180 day extension expires 8-8-18. Tabled.
2. **Morel Landscaping, LLC.** Robert Morel of Morel Landscaping, LLC and LAF Development, LLC is *requesting an extension* for the previously approved lot consolidation and preliminary site plan approval for a landscaping business at 13928 Progress Parkway also known as of PPN: 483-18-016 and PPN: 483-18-018 currently zoned as General Industrial District. These approvals, including similar use approval, were received on 2/22/17 for the southern parcel. *A 30 day extension was granted on 2-7-18.*

Rob Morel stated he is looking for an extension for previous approvals. Since the last PC meeting, they have taken the steps necessary to help remedy the situation. He said he met with the City Engineer. Mr. Morel and his Engineer submitted a plan to the Engineering Department and distributed a copy to the PC members. He added work is ongoing.

The City Engineer stated he met with the Applicant and his Engineer. The only outstanding item that needs to be addressed is the three proposed bins to cut off the access driveway to the northern parcel. The bins need to be shifted south outside of the storm sewer easement and further west away from the retention basin allowing access to both if needed. As of today's site visit, the City Engineer stated the Applicant has done significant amount of work to remove most of the materials that were stored on the northern parcel. Brush was being removed from down in the ravine, working his way back from the northern parcel towards the southern parcel. Grindings are being removed and piles leveled down. Previously the PC requested the Applicant to restore the site back to original conditions. This plan does indicate his intent to do that. The City Engineer stated, in his opinion, the Applicant is going to restore the site as close as he can back to the original condition.

Referring to the site plan, the Building Commissioner asked if the #6 future gravel access drive for equipment access to adjoining lot is a temporary drive. The Applicant responded, yes it is temporary. He said his intentions are to install the bins before he starts doing a lot of work so they can keep their materials in them. Once that happens, the only way to get in to finish the job is through the access road. The City Engineer stated the Applicant will need to make that change on the plan prior to final approval of the plan. He said based on the work performed by the Applicant, it is his recommendation that we grant him the extension that he is requesting with conditions.

The Law Director stated we gave him a 30-day continuance to come into compliance. He said because the Applicant needs additional time the Board can grant him a 90-day extension since he is not yet in compliance. He is still on the docket and will need to come back for a final site plan approval. The City Engineer concurred with the Law Director. The Applicant responded as soon as the ground is drier, they will grade and seed. Mr. Baxendale asked the Applicant when he would be ready to come back to PC for final

site plan approval for the southern portion and for the lot consolidation. The Applicant responded he intends to have the plans when he returns in 90 days. The Building Commissioner reiterated the Applicant has no approvals for use on the northern parcel. That portion should be restored to its original condition and left alone until a real plan of action comes forward. Mr. Castrovillari asked the Applicant to have his Engineer show on the plans the existing property line dividing the parcels. The Applicant stated he would and will also update the drawing to clarify the access drive and the revised location of the bins.

**Moved** by Mr. Castrovillari, seconded by Mr. Baxendale to **approve a 90 day extension**. Roll call: Yeas: 5 (Mayor Stefanik, Antoskiewicz, Castrovillari, Baxendale, Fenos) Nays: None. **Motion carried.**

3. **Indian Trails Subdivision Phase II**. Woodhill Properties, Inc. is seeking preliminary site plan approval for Indian Trails Subdivision Phase II. The subdivision will consist of 13 lots on PPN: 481-26-051, 481-26-050, 481-26-011 and 481-25-014 in a R1-A Zoning District. Phase II will tie into Indian Trails Phase I. Tabled. 180 day extension expires 5-8-18.
4. **Line-X of Greater Cleveland** – Building plan and preliminary site plan approval for a commercial building located at PPN: 483-13-008 Royalton Road in a General Industrial District. Tabled. 180 day extension expires 5-8-18.
5. **Michael Pizzuti**. Michael Pizzuti of EMC, Inc. is seeking Sketch Plan Approval for a subdivision consisting of 10 single family residential lots on PPN: 486-23-003 on the east side of State Road between Cady Road and Wiltshire Road in a Rural Residential Zoning District. Tabled: 5-17-17.
6. **Campea and Sons Construction Inc.** Gaetano and Giuseppina Campea of Campea and Sons Construction Inc. members of G.C. Real Estate LLC are seeking site plan approval for 14910 York Road, also known as PPN: 483-27-010 currently zoned as a General Industrial District. Tabled: 2-7-18 (30 days).

Motion and second to remove from the table. Motion carried.

Aldo Campea was before the PC last month. He said the neighbor's dead trees fell and crushed their fence. The fence was removed and exposed the concrete wall/storage bins behind it. He said the storage bins have been there since 2005. Site plans were provided to the Board. He said he wants to leave the block wall; adding landscaping in front of it. He showed pictures of a few other businesses that have similar walls and bins.

During last month's meeting, the Building Commissioner stated The Building Division sent the Applicant a violation notice on December 7, 2017 stating they were in violation of changing the site without PC approval as well as installing a new fence (masonry wall) without a permit that is not in compliance. The Applicant and his brother came in and met with the Building Commissioner regarding options available to them. They were told to either go into compliance with our zoning code or seek approval from the PC.

The Building Commissioner stated he recently visited the site to get a better idea of the existing property maintenance issues. He said it appears the Applicant has made significant effort in cleaning up the site. The site is unique; it fronts two well-trafficked streets so they are unable to have the back-end of their business hidden behind the front of the building. The masonry wall was installed without permit. He said his recommendation

still stands that the masonry wall be moved back further away from the right-of-way line. He said if the Board approves the wall in the same location, he recommends landscaping be added and possibly staining the wall in a brown or earth tone color to help it blend in. This would be instead of putting another fence in front of it. He added anywhere the wall exists, the apron will need to be removed and the tree lawn restored. The Building Commissioner stated based on the block increments 4 ft. high 2 ft. wide and 2 ft. deep he recommends the wall be moved 6 feet back from where they are currently located. He also addressed the three separate drives. He said one drive serves the residents facing Akins Road; the other two serve the concrete company. Of those two drives one services the parking area and the other serves as the truck ingress and egress. The largest of the aprons is the one serving the truck ingress/ egress which will be reduced to where the wall starts. The grass will be reseeded. There will be a reduction of the apron by approximately 42 feet.

Mr. Castrovillari stated the wall should be taken down. He said if not, the wall should be moved back a minimum of six feet. It should be painted and trees placed in front. He also asked that two or three trees be wrapped around the corner to improve the appearance. The 62 ft. existing apron is bigger than most roads. The Applicant stated he plans to cut the apron in half, approximately 40 feet; it previously ran the entire way. The Building Commissioner stated when the business erected the wall, part of the apron was covered up; it was 40 feet wider. He will need to remove 40 feet of apron that exists underneath of the wall and restore it back to grass.

Mr. Baxendale asked if a traffic study had been done for visibility. The City Engineer responded he has not received a traffic study. He said the Engineering Department did a quick analysis of the area; there are no sight issues from that corner. He said the wall does jet out and seems out of place. He said pulling it back will help create a visual barrier and landscaping will help to soften the look.

The Applicant said the previous property owner had 40 semi-trucks lined up on the property. He said he is trying to keep the area clean for the ball fields with a wall in the front to cover up the trucks. If the wall is moved in, he will lose one parking spot. Which means trucks will be moved and will be visible. He said they have been operating this way for 12 years. It was never visible because it was hiding behind a fence. Since the storm brought the fence down, now you can see the wall. He wants to continue operation with the wall in the same area. He said he is eliminating 40 feet of existing apron, plant grass and arborvitae trees and dress up the front. He added the parking lot with the parking barriers is set a little past the wall. That is something he is requesting.

Mayor Stefanik said the brick wall is ugly; it will be ugly no matter what color it is painted. He asked if a wooden privacy board-on-board fence can be put in front of the brick wall since that is where it was before. A fence should be added in front of the side wall to separate him and the neighboring property. He said he is more concerned with the aesthetics of the front of the building. It needs to be dressed up and look more presentable. The Building Commissioner stated a fence in the Industrial District is permitted to be up to 8 ft. The Mayor said the fence should be slightly higher than the wall. The Applicant agreed.

The Building Commissioner stated according to our code, loading is not permitted in the front yards of a business. The Law Director stated we are also dealing with the issues involving a non-conforming use which goes back many years. We want to improve upon the existing conditions without depriving the Applicant of their ability to operate their business in a reasonable fashion and to a degree that they are willing to conform the

exteriors to meet some of our concerns. We have to acknowledge their non-conforming use and their continued right to it.

The Applicant said he would be willing to add a higher fence in front of the wall and alongside of the building so it looks consistent, shrink up the apron, replace the grass and add landscaping in front of the building and along the fence. The Applicant stated he only took half of the fence down because that was the only part damaged.

The Building Commissioner stated if the wall is to remain where it is and at some time in the future York Road is modified, paved or expanded, the sidewalk would be abutting the concrete block wall. He said approval should be contingent on if the road is modified or sidewalks added the wall should be removed to the code requirement. The Applicant responded if that would occur, he would move the wall in if necessary. Aldo Campea stated that half of the wall is already covered in fence. When the trees came down, only half of the fence was removed.

The Law Director stated the appropriate motion is to approve the Applicant's submission contingent upon the erection of the board-on-board fencing to cover the existing block wrapping around the 90 degree angle and back to a point to be determined by the Building Commissioner. It is also contingent upon the understanding and the Applicant's recognition of the fact that a road widening or installation of appropriate sidewalk within the right-of-way may require, and he will conform to that requirement, including the removal or resetting of the fencing to allow for sidewalk and/or roadway widening. This would include, from the Applicant's submission removal of the apron all the way to the edge of the masonry wall and it will be restored back to tree lawn as it should have been originally.

Gaetano Campea stated there was only a fence with no trees and no grass. He asked why do they have to cut the apron and add grass since there is a lot of water in that area. He said they did not touch that; that is the way it was. He said he has issues with the drain clogging from water and debris from York Road. Aldo Campea said there is a catch basin before the property so if grass is added the water will go to the parking lot. There is a sewer in the middle of the 62 feet that catches all the storm water. The City Engineer stated a storm sewer runs down the whole side of the road with a couple catch basins. On the north side of the property is a catch basin with an inlet. He added he agrees it should be a pervious surface, such as grass. He mentioned a few options and said he would be willing to meet with the Applicant to find a solution.

The Law Director reiterated that the PC is attempting to see some improvements to that property. Mr. Baxendale asked the Applicant when he would be installing the landscaping. The Applicant stated they will do it as soon as the weather permits and it dries out.

**Moved** by Mayor Stefanik, seconded by Mr. Baxendale to approve the revised submitted site plan. Roll call: Yeas: Four (Mayor Stefanik, Antoskiewicz, Fenos, Baxendale). Nays: One (Castrovillari). **Motion carried.**

## NEW BUSINESS

1. **Tri-County Industrial Storage Phase IV.** Mann Parsons Gray Architects on behalf of Tri-County Industrial Storage are seeking site plan approval for Phase IV which includes two proposed buildings and associated access drives located at 10155 Royalton Road, also known as PPN: 483-24-003, in a General Industrial District.

Tony Farinacci and David Mann fielded questions from the Board. Mr. Mann stated the appearance and use of materials on the buildings will be the same; one of the differences of the buildings is the number of man doors.

The Building Commissioner stated they have reviewed the site. They will need to secure a variance for the west side of the property. At some point during the previous phase, concrete was placed close to property line. It will need to be reviewed and approved by the BZA. PC approved a 20 foot setback of green area along the western properties for Phase 1 and 2. Phase 3 was approved for a 10 ft. setback. He said it is now all concrete, which according to a google earth image, was added after the approvals were received.

The Building Commissioner reiterated the Applicant is here for approval of the empty shell structure. All facilities in the GI District require a primary or main use which allows for storage as a secondary or accessory use. These are not being approved as storage units but as office warehouse units. For future reference, each of the tenants moving in would require an application for permit construction documents, inspections and a certificate of occupancy prior to moving in.

Mr. Farinacci stated they are willing to go before BZA for approval of the difference of the setback under a separate motion to discuss the situation. He stated that point should be separate from the current application being reviewed for approval.

The Law Director stated he met with the Applicant. He said during the meeting it was clear that they would need to go to BZA if they want to come into compliance with the western strip of the project, and that it was tied to this application. It is not a separate matter because it is on one parcel. The Applicant filled in the green area with concrete. The PC approval will be contingent on getting the approval from the BZA for that transgression.

Mr. Castrovillari asked the Applicant when and why the area was filled in. Mr. Farinacci responded they would need to do research as to why it was filled in. His response was unacceptable. He added during Phase 3 which was completed two years ago, they had shown parking spaces along the west portion. He said if they are out of compliance, they are happy to go to BZA and ask for a variance. The Building Commissioner stated they have the original PC approval drawings showing there was an area of grass and undisturbed area; no parking was shown on the plan. Mr. Castrovillari expressed his opinion that it should be returned to a grass area creating a buffer between properties.

The Law Director stated the application needs the consideration of PC; in all other respects it is in accord with the code. The motion for approval will be contingent upon BZA's granting the variance they seek. If they fail to grant it, the alternative is to restore the property or to go in a different direction with tonight's request. He added this is an ancillary problem that the Applicant created. It is not the main issue before us tonight.

Moved by Ms. Fenos, seconded by Mayor Stefanik to approve the site plan submission contingent upon approval by the BZA for the westerly side line variance. Roll call: Yeas: Four: (Mayor Stefanik, Antoskiewicz, Fenos, Castrovillari). Nays: One (Baxendale). **Motion carried.**

## **MISCELLANEOUS**

The next scheduled meeting is Wednesday, March 28, 2018.

**ADJOURNMENT**

Moved by Mr. Castrovillari, seconded by Ms. Fenos to adjourn the March 7, 2018 PC meeting. Yeas: Five. Nays: None. Motion carried. Meeting adjourned at 8:10 p.m.

APPROVED: /s/ Larry Antoskiewicz  
Chair

DATE APPROVED: April 4, 2018

ATTEST: /s/ Diane Veverka  
Planning Commission Secretary